

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Nos. 5:15-CR-115-1-D; 5:15-CR-115-2-D; 5:15-CR-115-3-D

UNITED STATES OF AMERICA)	
)	
v.)	ORDER
)	
DAVID RICKY GODWIN,)	
DAVID RICKY GODWIN JR.,)	
RGB, INC. now known as)	
REGIONAL AMUSEMENTS, INC.,)	
)	
Defendants.)	

This matter is before the Court based on the Defendant's Unopposed Motion to Continue and Set Deadlines for Motions and Other Filings. For the reasons stated in that motion and pursuant to 18 U.S.C. § 3161(h)(7)(A), IT IS ORDERED that:

I. Arraignment and Trial

(A) This case shall be set for arraignment and trial at the term of criminal court commencing in February 2016.

(B) The deadlines listed below as being a certain number of days before trial shall be based on the trial date set by the Court. If any deadline has passed before the trial has been scheduled, the parties shall comply as soon as reasonably possible.

(C) Voir dire questions and requests for jury instructions shall be filed no later than one week before trial.

II. Motions

(A) All pre-trial motions under Rules 7, 8, 12, 13, and 14, with the exception of (i) any discovery-related motions or (ii) motions for a bill of particulars under Fed. R. Crim. P. 8(f) shall be filed no later than **September 30, 2015**. Responses to those motions shall be filed no later than **November 2, 2015**.

(B) Discovery-related motions under Rules 16 and 41 shall be filed as issues arise, and no later than **October 30, 2015**. Responses to discovery motions shall be filed no later than three weeks after the motion is filed.

(C) Motions *in limine* (including motions concerning Rule 404(b) evidence) and any other miscellaneous trial-related motions shall be filed no later than **14 days before trial**. Responses to such motions shall be filed no later than one week after the motion is filed.

(D) Untimely motions and motions filed in disregard of Local Rules 12.2 and 16.1 may be summarily denied. Parties seeking to file untimely motions should request leave of court and state the reasons for the untimeliness.

III. Rule 404(b) Evidence

The United States shall provide notice of any Rule 404(b) evidence no later than **35 days before trial**.

IV. Discovery and Reciprocal Discovery

(A) The United States shall provide the defendants with notice of its use of any expert witnesses under Rule 16(a)(1)(G) no later than **November 25, 2015**. The defendants shall provide any reciprocal discovery on expert witnesses under Rule 16(b)(1)(C) no later than **December 8, 2015**. Any objections to the qualifications or competency of experts, sometimes referred to as *Daubert* motions, shall be filed no later than **January 15, 2016**. Responses to such motions shall be filed no later than **January 29, 2016**.

(B) The defendants shall provide reciprocal discovery under Fed. R. Crim. Proc. Rule 16(b)(1)(A) and (B) not later than 30 days before trial.

V. Summary Exhibits

(A) The government shall disclose any summary, chart, or calculation intended to be introduced as evidence under Fed. R. Evid. 1006, along with copies of the underlying information upon which such summary, chart, or calculation is based no later than 14 days before trial.

(B) Following the government's disclosure under subsection (A), and no later than


seven days before trial, the defendant shall disclose any summary, chart, or calculation intended to be introduced as evidence under Fed. R. Evid. 1006, along with copies of the underlying information upon which such summary, chart, or calculation is based.

(C) Subsequent modifications of or adjustments to any chart, summary, calculation disclosed per subsections (A) and (B) are allowed as long as the first draft and the underlying materials were disclosed within the time periods specified above and the changes do not unduly prejudice the opposing party.

VI. Exhibits offered pursuant to Fed. R. Evid. 902(11) or 18 U.S.C. § 3505

(A) For any records that a party intends to offer into evidence pursuant to Fed. R. Evid. 902(11) or 18 U.S.C. § 3505, the party shall make available for inspection to the other parties the record and certification seven (7) days before trial.

SO ORDERED, this the 4 day of August, 2015.


JAMES C. DEVER, III
Chief United States District Judge